

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|---------------------------------|---|---------------------|
| SHURLAND OVID SINGH, | : | NO. 2:05-cv-3435-LS |
| Petitioner | : | |
| | : | |
| VS. | : | |
| | : | |
| ALBERTO GONZALES, | : | |
| United States Attorney General; | : | |
| MICHAEL CHERTOFF, | : | |
| Secretary of Homeland Security; | : | |
| THOMAS DECKER, | : | |
| Berks County Prison Warden, | : | |
| Respondents | : | |

ORDER

AND NOW, this day of , 2005, upon
consideration of the pleadings and record herein, and after review of the Report and
Recommendation of United States Magistrate Judge Charles B. Smith, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.

2. The Petition for Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2241, is DENIED
WITHOUT PREJUDICE.

3. There is no probable cause to issue a certificate of appealability.

It is so ORDERED.

BY THE COURT:

LAWRENCE F. STENGEL J.